



5-4-07

Atty. Dkt. No. 025948-0158

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frank M. Keese et al.
Title: BELTS WITH INTEGRAL
FLIGHTS FOR USE IN HIGH-
TEMPERATURE FOOD
PROCESSING EQUIPMENT
AND SYSTEMS INCLUDING
SUCH BELTS

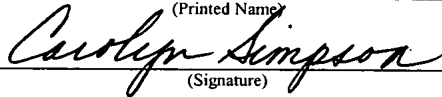
Appl. No.: 10/796,534

Filing Date: 03/09/2004

Examiner: Loney, Donald J.

Art Unit: 1772

Conf. No.: 2016

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 962274021 US	5/3/07
(Express Mail Label Number)	(Date of Deposit)
Carolyn Simpson	
(Printed Name)	
	
(Signature)	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be

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appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

During litigation of US Pat No 6,919,122 (the parent of the present application), the defendants suggested that there may be additional inventors of the subject matter of the present patent. The attached deposition transcripts of Scott March, Ronald Godsen, and Glenn Schackmuth include portions that relate to that suggestion. These deposition transcripts may also contain discussion of other topics of interest to the examiner.

The deposition transcripts of Ronald Godsen and Glenn Schackmuth have been redacted. The full deposition transcripts are protected as confidential by a protective order from the litigation in which they were taken. The deposition transcripts were redacted at McDonald's request because they contained discussions of information that McDonald's considered to be business-confidential. The examiner may feel free to contact counsel for McDonald's for further information if non-redacted transcripts are of interest in this proceeding.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

ADDITIONAL INFORMATION

Applicants are aware that at least companies named Furon and Taconic were working on belts to compete with the belt of the present application at about the time that the belt of the present application was developed.

Applicants are also aware that a company named Marshall Air (a competitor of the company – AJ Antunnes - for which the Applicants developed the belt of the present application) may also have been working on a silicone-coated belt with ribs for a toaster at about the same time as or before the Applicants developed the belt of the present application. See correspondence from AFC dated Oct. 6, 2004 previously submitted to the PTO in an IDS. The examiner is invited to contact Marshall Air and AFC for additional information.

FEE

A credit card payment form in the amount of \$180.00 is enclosed in accordance with 37 CFR §1.17(p) to cover the fee associated with an information disclosure statement under 37 CFR §1.97(c).

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

Date May 3, 2007

By 

FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 297-5839
Facsimile: (414) 297-4900

Marcus A. Burch
Attorney for Applicant
Registration No. 52,673

☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	49	-	66	=	0	x	\$50.00	=	\$0.00
Independent Claims:	4	-	7	=	0	x	\$200.00	=	\$0.00
First presentation of any Multiple Dependent Claims:		+					\$360.00	=	\$0.00
CLAIMS FEE TOTAL									= \$0.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$120.00	\$0.00
<input checked="" type="checkbox"/> Extension for response filed within the second month:	\$450.00	\$450.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$450.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$450.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
Extension Fees Previously Paid:		\$0.00
TOTAL FEE:		\$450.00

A credit card payment form in the amount of \$450.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a

rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

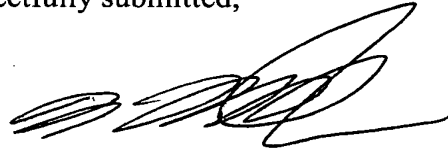
Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

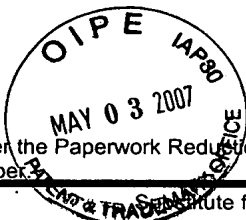
May 3, 2007

By



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PTO/SB/08 (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: May 3, 2007 (use as many sheets as necessary)		Complete if Known	
		Application Number	10/796,534
		Filing Date	03/09/2004
		First Named Inventor	Frank M. Keese
		Art Unit	1772
		Examiner Name	Loney, Donald J.
		Attorney Docket Number	025948-0158

Sheet	1	of	1
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U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A1	6,177,654 B1	01-23-2001	Schackmuth	
	A2	5,673,610	10-07-1997	Stuck	
	A3	5,588,354	12-31-1996	Stuck et al.	
	A4	4,410,314	10-18-1983	Miranti, Jr, et al.	
	A5	4,184,589	01-22-1980	Habegger	
	A6	3,262,383	07-26-1966	Sturman	

UNPUBLISHED U.S. PATENT APPLICATION DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Application Document	Filing Date of Cited Document MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Serial Number-Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A7	Deposition Transcript of Scott March - August 3 rd , 2006 at 10:00 am, 216 pages.	
	A8	Deposition Transcript of Scott March - August 3 rd , 2006 at 3:42 pm, 249 pages.	
	A9	Office Action from European Patent Application 00202394.3-2307, dated June 21, 2005, 18 pages.	
	A10	Summons to attend oral proceedings from European Patent Application 00202394.3-2307, dated July 26, 2006, 3 pages.	
	A11	Office Action from 90/008,001 (Reexamination of US 6,919,122) dated February 12, 2007, 10 pages.	
	A12	Deposition of Ronald Godsen - September 22 nd , 2006, 288 pages.	
	A13	Deposition of Glenn Schackmuth- September 20 th , 2006, 325 pages.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.